

Constitutional and Financial Questions affecting
the North-West Territories

—SPEECH—

OF

MR. F. W. G. HAULTAIN

(Attorney General of the Territories)

IN THE

LEGISLATIVE ASSEMBLY

ON

Wednesday the Second day of May, 1900

Printed by Order of the Legislative Assembly

REGINA

JOHN ALEXANDER REID, QUEEN'S PRINTER

1900



JL
500
A3
1900
438

INDEX

- Admission of the Territories into the Union, 3, 4, 5; Why sought by Canada, 3, 4, 5, 15.
- Analogy between the Provinces and Territories, 3, 4, 5, 6, 8, 10.
- Blake, Hon. Edward (St. Catharines Milling Co. case) 15.
- British Columbia terms, 13, 16.
- B. N. A. Act 1867, 3, 4, 10.
- B. N. A. Act 1871, 3, 5, 7.
- Brown, Hon. George (Confederation Debates) 12, 16.
- C. P. R. agreement, 15, 16.
- Cartier, Sir George E. (report of delegates for Canada arranging for H. B. Co. surrender) 5.
- Census of 1901, 6, 8.
- Claims of Territories—Financial, 3, 6, 8, 10, 11, 12; To lands, 10, 12, 13; Constitutional, 10; For railway subsidies and exemptions, 16.
- Confederation Debates, 11, 12, 13, 16.
- Debt allowances, 11.
- Direct taxation, 9, 12.
- Dominion claims respecting the Territories—Title to public domain, 5, 13; On account of expenditure, 11.
- Duties and obligations of Government—Assumed by Canada, 3, 5; Imposed upon Territories, 3.
- Fisheries case, 14.
- Galt, Sir A. T. (Confederation Debates) 11, 12.
- Granville, Lord—Approving terms of Settlement on Red River, 10.
- Herschell, Lord (Judgment in Fisheries case) 14.
- Holton, Hon. L. H. (Confederation Debates) 13.
- Howe, Hon. Joseph (letter to Rev. Grand Vicar Thibault) 10; (letter to Hon. Wm. McDougall) 10.
- Hudson's Bay Company—Surrender of rights to Crown, 3, 4, 5; Payment to by Canada, 5, 11, 12; Area of Dominion affected by the Company's claim, 5; How dealt with by Dominion, 13.
- Legislative Assembly—Its business, 4; powers, 5, 7; Memorials, 6; Meetings dependent upon Parliament, 7.
- Local administration of public affairs, 7.
- Macdonald, Sir John A. (Confederation Debates) 12.
- Manitoba's case, 9, 11.
- McDougall, Hon. Wm. (report of delegates for Canada arranging for H. B. Co. surrender) 5; (letter from Hon. Joseph Howe) 10.
- Mowat, Attorney General (St. Catharines Milling Co. case) 15.
- Municipal institutions, 9.
- Newfoundland, terms offered to enter Confederation, 13.
- Norquay, Hon. John (report to Manitoba legislature 1885 on Dominion claims against the Province) 11.
- Ontario Boundaries case, 5.
- Population an essential feature of the basis of settlement, 11.
- Position of the Territories with respect to the Dominion, 10.
- Powers given to Canada with respect to Territories, 3, 5, 7, 9, 14, 15.
- Proprietary right not given by legislative jurisdiction, 14.
- Provincial revenues, provision for, 5, 6, 12, 13.
- Provincial status for Territories—Mandate to deal with question, 8, 9; Submission of question to people, 16; Discussion invited, 3, 4, 8, 9, 16.
- Public domain, mines, etc.—Provincial title to, 13, 14; Dominion claims to, 5, 13, 14; In the United States, 13, 14; Downing Street policy with respect to Colonies, 14.
- Quebec Conference, 4, 16.
- Railway question in Territories, 12, 13, 16.
- Resolution, text of, 3.
- St. Catharines Milling Co. case, 15.
- School lands, 16.
- Self-government of Territories promised, 10.
- Settlement of questions dealt with, how and when possible, 4, 8, 16.
- Thibault, Rev. Grand Vicar (letter from Hon. Joseph Howe) 10.
- Territories—are a political entity, 6; present position a dependent one, 7, 8; development of, 8, 9; Provincial status, 8, 9.

SPEECH

OF

MR. F. W. G. HAULTAIN

(Attorney General of the North-West Territories)

IN THE

LEGISLATIVE ASSEMBLY

ON

Wednesday the Second day of May, 1900

On the afternoon of Wednesday the second day of May, 1900, Mr. Haultain, in pursuance of notice duly given, rose in his place in the Legislative Assembly of the North-West Territories to move the following resolution:

(1) WHEREAS by The British North America Act 1867 it was (amongst other things) enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on Address from the Houses of the Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them, into the Union on such terms and conditions in each case as should be in the Addresses expressed and as the Queen should think fit to approve subject to the provisions of the said Act;

(2) AND WHEREAS by an Address from the Houses of the Parliament of Canada Her Majesty was prayed to unite Rupert's Land and the North-Western Territory with the Dominion of Canada;

(3) AND WHEREAS, in order to further the petition of the Parliament of Canada, Her Majesty, under the authority of The Rupert's Land Act 1868, accepted a surrender from the Governor and Company of Adventurers of England trading into Hudson's Bay of all the lands, territories, rights, privileges, liberties, franchises, powers and authorities whatsoever granted or purported to be granted by certain letters patent therein recited to the said company in Rupert's Land;

(4) AND WHEREAS in the said Address it was represented to Her Majesty, as a reason for the extension of the Dominion of Canada westward, that the welfare of the population of these Territories would be materially enhanced by the formation therein of political institutions bearing analogy, as far as circumstances will admit to those which existed in the several provinces then forming the Dominion;

(5) AND WHEREAS the Houses of the Parliament of Canada by their said Address expressed to Her Majesty their willingness to assume the duties and obligations of government and legislation as regards these Territories;

(6) AND WHEREAS in pursuance and exercise of the powers vested in the Queen by the afore-said Act, Her Majesty, by and with the advice of Her Most Honourable Privy Council, ordered and declared that from and after the fifteenth day of July, 1870, Rupert's Land and the North-Western Territory should be admitted into and become part of the Dominion of Canada, and granted power and authority to the Parliament of Canada to legislate for the future welfare and good government of these Territories;

(7) AND WHEREAS by The British North America Act 1871 the Parliament of Canada was further given power from time to time to make provision for the administration, peace, order and good government of any Territory not for the time being included in any Province;

(8) AND WHEREAS under the several authorities so given the Parliament of Canada has created political institutions in these Territories bearing a close analogy to those which exist in the several Provinces of the Dominion;

(9) AND WHEREAS by the Confederation compact the Provinces which formed the Dominion on the fifteenth day of July, 1870, were furnished with the means of carrying on local self government upon certain well defined bases;

(10) AND WHEREAS the Territories, being an integral part of the Dominion, and having had imposed upon them the duties and obligations incidental to the political institutions which have been given to them and which said duties and obligations the Parliament of Canada has declared its willingness to assume, are entitled to such Federal assistance for their maintenance as will bear due proportion and analogy to that given to other portions of the Dominion for similar purposes;

(11) AND WHEREAS repeated representations have been made in various ways to the Government of Canada with a view to obtaining just and equitable financial assistance towards providing for the proper and effective administration of local affairs in the Territories and for the public necessities of their rapidly increasing population;

(12) AND WHEREAS such representations have been met by intermittent and insufficient additions to the annual grant, the provision so made by the Parliament of Canada never bearing any adequate proportion to the financial obligations imposed by the enlargement and development of the political institutions created by itself;

(13) AND WHEREAS it is desirable that a basis should be established upon which the claims of the Territories to suitable financial recognition may be settled and agreed upon;

(14) THEREFORE BE IT RESOLVED that an humble Address to His Excellency the Governor General be adopted by this House praying him that he will be pleased to cause the fullest enquiry to be made into the position of the Territories, financial and otherwise, and to cause such action to be taken as will provide for their present and immediate welfare and good government, as well as the due fulfilment of the duties and obligations of government and legislation assumed, with respect to these Territories, by the Parliament of Canada;

(15) AND BE IT FURTHER RESOLVED that, whereas by The British North America Act 1871 it was (amongst other things) enacted that the Parliament of Canada may from time to time establish new Provinces in any Territories forming for the time being part of the Dominion of Canada but not included in any Province thereof, and may, at the time of such establishment, make provision for the constitution and administration of such Province, His Excellency be also prayed to order enquiries to be made and accounts taken with a view to the settlement of the terms and conditions upon which the Territories or any part thereof shall

be established as a Province, and that before any such Province is established opportunity should be given to the people of the Territories through their accredited representatives of considering and discussing such terms and conditions.

In speaking to the motion Mr. Haultain said: Mr. Speaker, in the speech from the Throne with which this session was opened the following passage occurred. I will not read the whole of it, but only that part which bears more particularly on the resolution now in your hands. It is as follows:

It is gratifying for me to be able to inform you that the Federal government has proposed to Parliament now in session a moderate increase to your annual grant and a large special vote for the purpose of restoring public works destroyed by the floods. In spite of this very substantial increase to the revenue my government can only look upon it as affording a temporary and partial amelioration of otherwise impossible financial conditions, and will ask you to take action leading to the earliest practical solution of Territorial financial and administrative problems.

In accordance with the promise practically made to the House by the government in that portion of the speech, the resolution which I now have the honour to move, seconded by Mr. Ross, has been placed on the order paper. I shall not attempt to occupy very much time in any preliminary remarks but will simply say that, in a matter dealing with so many different points, a matter raising so many different questions, involving the consideration of so many different topics, each one almost worthy of a speech in itself, any remarks which I have to make today must necessarily be very long; so that in anticipation I will ask the indulgence of the House in that respect. What I am going to say will not be in itself particularly original. I am not going to draw many deductions or indulge in any very long arguments, but am going rather to try to introduce to the House the most important subject we have ever had to deal with and to promote discussion, not only here but in the country. For that purpose I propose to refer to various documents, state papers, Acts of Parliaments, Orders in

Council—Imperial, Federal, and otherwise—speeches, letters—and, in fact, to the whole of what I might call the bibliography of the subject; so that while what I say may not add very largely to the arguments on the controversial side of the question I do hope the references given, the citations made, the sources of information indicated will be of help in the future discussion of this question and will point out to members of this House, and to other people in the country who take an interest in it, where they will be able to obtain information upon this important subject.

The recitals are largely historical. They are taken almost exclusively, even to the very words, from the public documents which I have referred to. They give in a few concise paragraphs the history of the Territories since their acquisition by Canada. They deal to a certain extent with the history of the Dominion, and my remarks, taken in conjunction with the resolution, will also touch on Imperial colonial policy, more particularly the colonial policy with respect to public lands. The questions dealt with in this resolution are not such as can be settled in a day; nor possibly within less than a year or two; nor are they subjects which, under the practical difficulties which prevail, can be settled by anyone else within the immediate near future; but they are questions which, by their importance, before they are settled require a very full discussion, and it is for the purpose of bringing these subjects into the realm of discussion that this resolution has been brought down.

I need not at this stage make any particular argument with regard to whether the time is an opportune one for the introduction of a resolution of this sort, but will try to develop my views on that point in the course of my speech. So I will simply begin at the beginning and take up the resolution itself, clause by clause. For the purpose of reference I have numbered each clause consecutively so that hon. gentlemen may find it convenient in following me to also number the copies of the resolution which are before them. The resolution deals with two phases of our business. In the first place it deals with the present and the immediate future. We are above all things—or we always claim to be—a practical House. We have to deal with the practical business of the country as we find it. We have the duty imposed upon us not only of *theorising* with regard to the future but of *doing* with regard to the present, and so the first part of the resolution deals with the present and with the immediate future. While we are talking about the future, while we are making propositions as to what we shall be at some future date, we must always recollect that the practical duty of this House at the present time is to deal with the business of the country as it comes up from day to day. As (and I believe everyone will agree with me) any possible settlement of the larger question is necessarily postponed for two years at least, we must consider what we are going to do in the meantime, so that the necessity for some comment by this House on the present position and on the immediate future is still as important in one sense, and more in keeping with the purposes for which this House has been elected, and with the business with which this House

has to do, than the second part of the resolution, which to a certain extent dips into the future. The recitals are historical. They are practically, up to the first seven or eight at least, a plain statement of actual facts taken from the public documents, and in going over these I shall try to do so as briefly as possible. The first recital states that under the provisions of

The British North America Act 1867 it was (amongst other things) enacted that it should be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on address from the Houses of Parliament of Canada, to admit Rupert's Land and the North-Western Territory, or either of them, into the Union on such terms and conditions in each case as should be in the addresses expressed and as the Queen should think fit to approve subject to the provisions of the said Act.

All through this recital there is a certain consistent idea running—subject to the provisions “of this Act”—The British North America Act—and I wish to impress upon the House at this stage that one of the most important things in this resolution is the continuous chain of reference to The British North America Act and to the analogy which exists between our condition and that of the Provinces; to the responsibilities; to the undertakings which have been assumed by the Dominion Parliament respecting this country; all of which point most imperatively to the duty of the Dominion Government and Parliament respecting this country. With regard to this first recital, it was founded on the resolutions of the Quebec Conference; that is to say, on the resolutions which were passed by the Fathers of Confederation, upon which was founded The British North America Act under which the Dominion of Canada was brought into existence. I will call the attention of the House at the very outset to the words of the Quebec Resolutions—a very important document which I think it will be well for every hon. gentleman to look into when considering this subject. In the second resolution passed at Quebec these words occur:

Provision being made for the admission into the Union, on equitable terms, of Newfoundland, the North-Western Territory, British Columbia and Vancouver.

“On equitable terms!” In the sixtieth resolution is given the reason, to a certain extent, for acquiring the North-Western Territory, more particularly for opening up communication with it. The sixty-ninth resolution of the Quebec Conference reads:

The communication with the North-Western Territory, and the improvements required for the development of trade of the Great West with the seaboard, are regarded by this Conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit.

I would here point to the significant wording of this resolution which contains the reason given at that time for the acquisition of this country; that it was not for the benefit of this country, neither was it for the benefit of the people living in this country, but, as stated,

The communication with the North-Western Territory, and the improvement required for the development of the trade of the Great West with the seaboard, are regarded by this Conference as subjects of the highest importance to the Federated Provinces.

That is, to the Provinces originally forming the Confederation. I will leave this recital here. It simply points out the reason which existed in the

minds of the framers of Confederation why it was desirable that the North-Western Territory should be acquired and that communication should be opened up with it.

The second recital sets forth the fact that following up the authority conferred by The British North America Act 1867 the two Houses of the Parliament of Canada requested the Queen to exercise the power which was vested in her under the Act. The recital reads:

By an address from the Houses of the Parliament of Canada Her Majesty was prayed to unite Rupert's Land and the North-Western Territory with the Dominion of Canada.

This address was passed, in December, 1867, in the first Parliament after Confederation was completed, and it is important as showing the reasons for which the Parliament of Canada asked that Rupert's Land and the North-Western Territory should be taken into the Union. I will not read the whole of the address, but portions of it only, and those chiefly as a matter of reference. The address is to the Queen from the Senate and the House of Commons of the Dominion of Canada. It says:

That it would promote the prosperity of the Canadian people, and conduce to the advantage of the whole empire, if the Dominion of Canada, constituted under the provisions of The British North America Act 1867, were extended westward to the shores of the Pacific ocean.

That the colonisation of the fertile lands of the Saskatchewan, the Assiniboine, and the Red River districts; the development of the mineral wealth which abounds in the region of the North-West; and the extension of commercial intercourse through the British possessions in America from the Atlantic to the Pacific, are alike dependent on the establishment of a stable government for the maintenance of law and order in the North-Western Territory.

Then

That the welfare of a sparse and widely scattered population of British subjects of European origin, already inhabiting these remote and unorganised territories would be materially enhanced by the formation therein of political institutions bearing analogy, as far as circumstances will admit, to those which exist in the several Provinces of this Dominion.

Those were the reasons given by the joint address of the two Houses of the Parliament of Canada for the acquisition of the North-Western Territory. The House will see that these reasons for the acquisition were not that it would be for the benefit of this part of the country, but that it would be for “the prosperity of the Canadian people;” and only incidentally in a sense are the people of this country mentioned: “That the people of a sparse and widely scattered population of “British subjects of European origin “... would be materially enhanced,” and so on.

Under the third recital it is stated that:

Her Majesty, under the authority of The Rupert's Land Act 1868, accepted a surrender from the Governor and Company of Adventurers of England trading into Hudson's Bay of all the lands, territories, rights, privileges, liberties, franchises, powers and authorities,

whatsoever they may be for the purpose of carrying out the arrangement between the Imperial and the Canadian authorities; that is, for the purpose of handing over Rupert's Land and the North-Western Territory to the Dominion of Canada. The Hudson's Bay Company's title was always a matter of discussion. It has always been an open question whether the Hudson's Bay Company possessed any rights within a very large portion of the country which they claimed. I will

not go into this subject, as it would involve a very long argument and several citations from a large number of books and documents, but if any hon. member of this House wishes to look into it, for himself he will find a great deal in a report made by Sir George Cartier and the Hon. William McDougall, the delegates for Canada at the time the negotiations for the surrender of the Hudson's Bay Company's rights were under discussion in England. Incidentally the Hudson's Bay title is very fully discussed in connection with the litigation which was involved in the celebrated Ontario Boundaries case. On this action—that is to say, the action taken under The Rupert's Land Act of 1868, and the subsequent acquisition of the country—the Dominion of Canada today claims the absolute title to the lands of this country. The amount which was paid—not as a purchase price, but to quietly settle the questionable claim of the Hudson's Bay Company—was not paid simply in respect of any portion of the North-West Territories which we can ever have a large amount of interest in, but of an enormous area of country which people, in this part of the world at least, will never have anything to do with. I might point out to the House on the map here that a great deal of the Hudson's Bay Company's claim, and the title which was surrendered under The Rupert's Land Act, and consequently the land which was affected by the money paid to the Hudson's Bay Company, not only took in the provisional districts which we more particularly have to deal with, but also Manitoba, parts of Athabasca and Mackenzie and the islands to the north, the whole of Keewatin, a large portion of the Province of Ontario, as well as the very large district of Ungava and a very large portion of what is now the Province of Quebec. So that when the question comes up as a practical question, as to what right in the lands of this country was obtained by the payment of the sum of \$300,000 to the Hudson's Bay Company for the surrender of their title, there will be another question as to which portion of what was known as Rupert's Land at the time of the surrender was made should a very large part of that sum be charged? Would it be that part which was recently cut off and added to the Province of Quebec, or would it be the adjoining District of Ungava? Will it include that part of the Province of Ontario lying between the northern height of land and Albany River? Should Manitoba or the enormous area of Keewatin be charged up with any portion of this "purchase price?" or should it be charged up to the eastern portions of the Districts of Athabasca and Mackenzie? I will not say more upon this subject at present except to point out that according to the manner in which the Dominion authorities are keeping their books the whole of this sum is charged against that ever diminishing area, the North-West Territories.

The fourth recital goes on to refer to one of the reasons given by Parliament for asking that the Dominion of Canada, in the language of the resolution, be "extended westward" so that

the welfare of the people of these Territories would be materially enhanced by the formation therein of political institutions bearing analogy, as far as circumstances will admit, to those which existed in the several Provinces then forming the Dominion.

I simply mention this recital for the purpose of trying to keep in view—as I think we should always keep in view throughout the consideration of all these recitals and resolution—that when the Parliament of Canada asked to have the Dominion extended westward one of the grounds which they stated in their address as a reason for that extension was that the welfare of this country, or of the people inhabiting this country, "would be materially enhanced by the formation therein of political institutions," and not only that but "by the formation of political institutions bearing analogy, as far as circumstances will admit, to those which existed in the several provinces then forming the Dominion." I am simply laying stress on the fact that throughout the whole history of this question, right down to the present day, there has been a continuous and consistent statement at least of intention and motive, to deal with this country in a similar way and in an analogous way with the older Provinces of the Dominion.

The fifth recital mentions another point in the address in which the Parliament of Canada expressed to the Queen their willingness to assume governmental and legislative responsibilities as regards these Territories.

The sixth recital is:

Whereas in pursuance of the powers vested in the Queen by the aforesaid Acts, Her Majesty, by and with the advice of Her Most Honourable Privy Council, ordered and declared that from and after the fifteenth day of July, 1870, Rupert's Land and the North-Western Territory should be admitted into and become part of the Dominion of Canada, and granted power and authority to the Parliament of Canada to legislate for the future welfare and good government of these Territories.

So that on the 15th day of July, 1870, these Territories—Rupert's Land and the North-Western Territory—were admitted into and became part of the Dominion of Canada, and power was given to the Parliament of Canada to legislate for the welfare and good government of the country.

The seventh recital shows how, by amendment to The British North America Act, the power of Parliament was more clearly defined and it was

given power from time to time to make provision for the administration, peace, order and good government of any Territory not for the time being included in any Province.

These are the exact words of The British North America Act of 1871. Reading the two authorities together, we find that the only power given to the Parliament of Canada by the Imperial Parliament and by the Order in Council was to "legislate for the future welfare and good government of the Territories," and "to make provision for the administration, peace, order and good government of any Territory not for the time being included in any Province." I lay stress again on these particular words because they are really the only words in any Act of Parliament, or in any other document, upon which the Dominion Parliament today bases its right to deal with this country or to make laws with regard to it.

The eighth recital is one which will not necessitate any very elaborate argument. In it we are for the first time getting away from the language of any public document and state paper. It reads:

Whereas under the several authorities so given the Parliament of Canada has created

political institutions in these Territories bearing a close analogy to those which exist in the several Provinces of the Dominion.

I need hardly take up the time of the House in discussing whether there have or have not been established "political institutions in these Territories bearing a close analogy to those which exist in the several Provinces of the Dominion." I will only refer the House to The North-West Territories Act of 1891 and subsequent amending Acts, in which will be found a full description of the powers and jurisdiction which have been given to this Legislature. For a more ready means of reference I will refer to the consolidation—which is only an office consolidation, but it is perfectly reliable—the consolidation of The North-West Territories Act which is to be found at the beginning of our volume of Consolidated Ordinances. For the purpose of comparison I would then refer to section 92 of The British North America Act, which sets out the powers which the Provinces have under Confederation. But, to put it shortly, in order to show what a very slight difference there is between the powers enjoyed by the Territories today so far as political institutions are concerned, and those which are enjoyed by the Provinces, I will state in a few words the exact differences which exist. I need not take the House over a description of the powers which we do enjoy. We have nearly all the principal powers a Province has. Where we fall short of Provincial powers is in these points: We have not the power to amend the constitution outside of the power to deal with certain phases in our election law; we have not the power to borrow money; we have not the power to deal with the public domain; we have not the power to establish certain institutions, such as hospitals, asylums, charities—"eleemosynary institutions" as they are called in The British North America Act; we have not the power to take cognisance of public undertakings other than such as may be carried on by certain sorts of joint stock companies; and our powers are limited to the extent that we have not the administration of the criminal law in the Territories. That, I think, will suffice for any reference which it is necessary to make to the eighth recital.

The ninth recital is:

Whereas by the Confederation compact the Provinces which formed the Dominion on the fifteenth day of July, 1870, were furnished with the means of carrying on local self-government upon certain well defined bases.

I might say at the very beginning that, although the bases upon which financial assistance was given to the Provinces were well defined in one sense, still in dealing with the various Provinces they were not exactly rigid. That is to say, although they are well defined at the same time there have been important departures in many instances in dealing with special Provinces. I shall refer more particularly to the departures which have been made in a later part of the argument, and will simply now give a short general description of what were the financial arrangements made for the several Provinces at the time of the formation of the Dominion. Under The British North America Act 1867, the following provision was made for the Provincial revenues.

Firstly, a yearly grant from Dominion funds for the support of govern-

ment. That varies from the sum of \$80,000 a year paid to the Province of Ontario, to \$30,000 a year paid to Prince Edward Island.

Secondly, a per capita grant of 80 cents for "local purposes," as was stated in the Quebec Resolutions.

Then thirdly, the assumption by the Dominion of Provincial public indebtedness, coupled with a provision for equalising the debt per head in each Province and the payment of interest at 5 per cent. upon any difference between the aggregate amount of debt so allowed and that actually assumed.

And fourthly (and this is the most important of all) the retention by the Province of all its revenue producing property, more particularly public lands with their timber and minerals.

These provisions were practically extended to British Columbia and Prince Edward Island when they entered Confederation, only in the case of the latter a special annual grant of \$45,000 is paid because the Province has no public lands. They were varied, however, in an important particular when Manitoba was created a Province, as will be seen later on.

The next recital is number ten. We are now departing a little from the plain incontrovertible history of the subject and are getting into what might be called "finance controversy" here, at least controversy as between ourselves and the Dominion. This recital reads:

Whereas the Territories, being an integral part of the Dominion, and having had imposed upon them the duties and obligations incidental to the political institutions which have been given to them, and which said duties and obligations the Parliament of Canada has declared its willingness to assume, are entitled to such Federal assistance for their maintenance as will bear due proportion and analogy to that given to other portions of the Dominion for similar purposes.

Now the expression "integral part of the Dominion" has been used, possibly not in the fullest significance of the word, but simply for this purpose: We have been created what I may be allowed to call a political entity. We are for purposes of self government as separate a part of the Dominion as any of the Provinces. We have a Legislature and a form of government bearing a very close analogy to that which exists in the Provinces, and in every respect, therefore, except in respect of the necessary means for carrying on those institutions, we stand in very much the same position as a Province, and we may for present purposes be fairly called "an integral part of the Dominion." There is no question about our "having had imposed" upon us "the duties and obligations incidental to the political institutions" given to us, because they are a necessary incident of our constitution. This Legislature has been created with certain powers, and consequently with the necessary duties and obligations which arise from the proper exercise of those powers. The duties and obligations which the Parliament of Canada, as has been shown, assumed for itself it has imposed upon us—I do not use the expression "imposed" as in any sense suggesting a complaint, but as simply saying that the Parliament of Canada, in granting us self government, has laid upon us, and very properly so, in many ways the responsibility which it assumed itself of carrying out the duties and obligations incidental to certain political institu-

tions. But the point made in this recital is, that we are entitled not only to be dealt with analogously, so far as our institutions are concerned, to the Provinces, but that, side by side with the institutions runs the financial question, and that necessarily if we are to be given these institutions, if we have to bear all the burdens and obligations incidental to the working of these institutions which are analogous to those existing in the Provinces, we are also entitled to an analogous and proportionate amount of assistance for so doing. That is to say, that so far as our institutions bear an analogy to those in the Provinces, so far should our financial assistance bear a similar proportion. That seems to be a perfectly fair deduction to be made from the position. It is certainly one which has commended itself to this Legislature almost unanimously, because on a reference to the memorials passed by the Legislature in 1892 and in 1896, and by a reference to the memorials sent down to Ottawa from time to time by the executive committee, it will be seen that the same argument has been consistently made.

The eleventh recital goes on to say that:

Whereas repeated representations have been made in various ways to the Government of Canada with a view to obtaining just and equitable financial assistance towards providing for the proper and effective administration of local affairs in the Territories and for the public necessities of their rapidly increasing population.

I might read the eleventh and twelfth recitals together, because they really to a large extent cover the same ground. The twelfth recital says:

And whereas such representations have been met by intermittent and insufficient additions to the annual grant, the provision so made by the Parliament of Canada never bearing any adequate proportion to the financial obligations imposed by the enlargement and development of the political institutions created by itself.

I do not think it will be necessary for me to give any evidence, or to make any argument in support of the statement "repeated representations have been made." Whether those representations have been made in the right way, whether all the support and assistance that was necessary for strengthening them have been called in or not, are matters which are altogether outside the scope of the present discussion. But the House must agree that repeated representations have been made, and I think that the statement that these "representations have been met by intermittent and insufficient additions to the annual grant" will also be fully agreed to by every member of this House. The history of the Federal grant—a statement of which, by the way, is contained in the Journals of our last session, and which can be obtained more fully from the various Appropriation Acts of the Dominion Parliament for as many years back as any hon. gentleman likes to enquire—will show the exact amounts which have been received; and the history of this Legislature will be a standing evidence that there never has been a sufficient amount of money to meet "the public necessities of our rapidly increasing population," whatever the individual opinions of any member of this House may be with regard to the details of our domestic expenditure.

The thirteenth recital affirms that:

It is desirable that a basis should be estab-

lished upon which the claims of the Territories to suitable financial recognition may be settled and agreed upon.

This, again, is a statement which needs no long argument of mine to establish. Hon. gentlemen clearly understand that a satisfactory basis—if not a permanent basis, at least a basis for a certain number of years—would be a most desirable thing for the proper carrying on of our business. I may again refer to the Journals of 1892 and 1896 for the memorials of the House on this subject. They will show that the desire for a fixed amount of money for a definite term of years has been one of the prominent features of any representations made by the House to the Federal Government on this subject. In 1892 an argument was made based on population and on the Provincial analogy, and the Dominion Parliament was asked to grant a stated amount for four years. In 1896 a similar argument and request were made, but as the House knows, there has been no such dealing with the question by the Federal Government or Parliament. Further comment on this subject is unnecessary. I believe these two recitals are well understood by every member of the House and simply state what are unfortunately incontrovertible facts.

We now come to the resolution:

Therefore be it resolved that an humble address to His Excellency the Governor General be adopted by this House praying him that he will be pleased to cause the fullest enquiry to be made into the position of the Territories, financial and otherwise, and to cause such action to be taken as will provide for their present and immediate welfare and good government, as well as the due fulfilment of the duties and obligations of government and legislation assumed, with respect to these Territories, by the Parliament of Canada.

That is the part of the resolution, Sir, which deals with our present position and with the immediate future. At this point I should like to say most emphatically that there has never been at any time in our history any tendency on the part of the House or the Government to stand still. Hitherto the attitude of this House, and—as I believe I may say without introducing anything very controversial—the policy of the Government has been in the direction of a steady development in keeping with the conditions and growth of the country. We have from time to time obtained small increases to our grant, and from time to time our powers and jurisdiction have been largely extended, and I think the same policy should be continued up to a certain point. The mere fact that a census is going to be taken, and that probably, in the opinion of many of us, some more important move may follow the taking of that census, is no reason why the constitutional and financial development which have been going on in this country for the past twelve or fifteen years should come to a stop, or that we should practically mark time until something else is done. In the meantime the work of this country must be carried on; in the meantime the functions of this Legislature must be exercised; and, so far as I am concerned at least, we will not lessen our endeavours or modify our exertions towards attaining not only larger financial assistance, but a more complete rounding off of the powers which we possess. No matter what time may be chosen for the establishment of Provincial institutions in the Territories, the nearer we get to them the closer

will be the analogy between the institutions so developed and those in the Provinces and the less violent will be the wrench, the less difficult will be the step. One thing that can be said in favour of a definite basis being established—even if only a temporary one—is that it will do away with much of the necessity for making those annual "pilgrimages to Ottawa," of which so much has been said. Apart from any other consideration I have always thought it was an undesirable thing, it was an undignified thing for this House and for representatives of this House and of this country to have to go to Ottawa every year asking for what we believed to be rightfully due to this country, and which ought to have been given us without any such excursions. But on the other hand the actual position requires our financial and other problems to be fully placed before the Federal Government. Under present conditions, when we are dependent every year for a grant from the Dominion Parliament; when we have no assurance that we will obtain as much in any one year as we got the year before; when any increase must depend upon the representations made—so long as those conditions exist so long will some one have to go to Ottawa and press the claims of the Territories upon the Government and upon the Parliament there. The great advantage of having our financial affairs settled, even for the space of a few short years, is this: That there will be no speculation from year to year as to what amount of money the Territories will have at their disposal, and as to what amount of money this House may be asked to vote. There is a very strong opinion on the part of some members of this House as to the best time for the sitting of the House—an opinion which I hold as strongly as other members. I think the House should meet as early in the year as the accounts and other public documents can be got ready. I believe the earlier in the year we can meet the more convenient and better it will be. At the same time, if the Dominion Parliament has not begun to sit, if there is no indication from the Dominion Government whether we are to receive the same amount of money as we received the previous year, in what position would any government be in bringing down its estimates? There would be no certainty as to what amount of money we were going to receive, and if exceptional conditions prevailed as now prevail, and have prevailed for the past year or two, we should not be in a position to come to this House before the estimates were laid on the table at Ottawa and to say that such and such appropriations would be made for us, for no government at Ottawa could allow us to anticipate estimates. This part of the resolution deals with the present position and immediate future of this country. We always have to deal with the practical position as it exists, no matter what action may be taken in the future, no matter what may happen after that very significant period—the time of the taking of the census. In the meantime government has to be carried on, and in the meantime, therefore, we must be alive to the actual duties of the day and of the hour. The resolution lays special stress on the financial side of the question, but there are other sides to the question—there is the constitutional side.

As I have already said, we must develop, whether we have Provincial institutions in a year or two years, or even if we do not have them in ten years hence. There are certain things necessary for the proper carrying out of the work of this House; there are certain necessary extensions of our jurisdiction which must receive attention. Extensions have been made from year to year, but as the conditions of the country change and become more complex and as our population increases, so will the necessity for larger powers become more pressing, and whatever postponement of the Provincial question there may be it is our duty, and it is an absolute necessity to the proper working out of the functions of this House, to ask for an extension of our powers not two year hence, but immediately.

Mr. Bennett: An extension of what power in particular?

Mr. Haultain: There is no reason why we should not have the regulation—possibly not completely, but to a greater extent—of our constitution. There is no reason why we should not have that because there are several points which are involved which make it difficult for us to deal with our election laws. For instance, we have no power to disqualify a man for membership of this House, and there are a number of other instances without going into details. We should, too, have the administration of criminal justice. There is no reason why we should not; there are many reasons, financial as well as others, why we should. We have already a certain amount of civil jurisdiction given us, and the position at present simply means that two sets of officials have to be kept up in this country instead of one. There is no practical reason why the same work should not be done by us as is done by the Attorney General's Department in the Provinces. We should also have the control of the registry offices. The important power to legislate with regard to property and civil rights given to us in one section of The North-West Territories Act is largely curtailed by the Dominion Parliament having undertaken to deal with the question of land titles under The Land Titles Act, and I need not remind the House how often we run up against The Land Titles Act in attempting to legislate on many questions. In much of our important legislation we deal with land and land titles, and it is a practical argument that if we had the power—as they have in the Provinces—to deal exclusively with property and civil rights we should be able to make a great many improvements in much of our general legislation as well as improvements in the land titles system itself. I believe the land titles system under local administration can be made to be not only a self supporting service, but can also be so conducted as to very largely reduce the number and amount of fees which at present are charged for the various services performed. There are other matters, but I need hardly dwell on them. I believe that—no matter at what time, remote or near, the larger question of Provincial institutions is settled—we require an extension of the powers of this House immediately. Many of them we should have had some time ago. We have been asking for them ever since 1892—asking for them every year.

It may be asked why such a resolu-

tion should now be put so formally in the form of an address to His Excellency the Governor General. In reply to that I would say that the treatment hitherto accorded to this Government and to this House by the Governments at Ottawa has not been such as to make it very desirable to continue the more informal methods hitherto adopted. We have arrived at the time when we are confronted with a very large practical necessity, and we now come down and say to the House: We have been making these representations, the House has at intervals made representations, and the time has come when the House should in the most formal way declare to the Dominion Government and to the Dominion Parliament that they are not satisfied with the treatment dealt out to the Territories, and that they now ask that the whole question of the financial and constitutional claims of the Territories should be examined and enquired into at once. That is all I propose to say with regard to the first part of the resolution, which seems to me to almost speak for itself. It deals altogether with the practical necessities of the hour; it deals with us as we are; it deals with us under our present institutions, and consequently, as it is generally admitted that we need more money and more power, there cannot be any very valid objection on the part of any member of this House to our making the strongest and most formal demand at the quarter from which both must be derived.

The second part of the resolution goes on to speak as follows:

And be it further resolved that, whereas by The British North America Act 1871 it was (amongst other things) enacted that the Parliament of Canada may from time to time establish new Provinces in any Territories forming for the time being part of the Dominion of Canada but not included in any Province thereof, and may, at the time of such establishment, make provision for the constitution and administration of such Province, His Excellency be also prayed to order enquiries to be made and accounts taken with a view to the settlement of the terms and conditions upon which the Territories or any part thereof shall be established as a Province, and that before any such Province is established opportunity should be given to the people of the Territories through their accredited representatives of considering and discussing such terms and conditions.

Before taking up this part of the resolution I would ask the House to glance over the recitals which lead up to it. They trace down the history of the acquisition of this country and the subsequent dealings with it. They, throughout, suggest a settled and defined mode of action. They cite the fact that in all matters appertaining to this country—even to the action of the Queen herself—everything that is done must be done subject to the provisions of The British North America Act. They refer to the undertaking by the Parliament of Canada to grant political institutions bearing a close analogy to those enjoyed by the Provinces and show how that undertaking has been carried out. A consistent intention and action leading up to the establishment of such "analogous institutions" can be traced in all the negotiations, in every public document, in every official statement and every Act of Parliament, and the underlying principles of The British North America Act govern in every instance. At this stage, I suppose, the question might be asked, How long shall this process of gradual development go on? I have already

shown in what respect the powers we now possess differ from those enjoyed by the Provinces. The Provincial jurisdiction must be the limit of our ambition so that there is not much room for development in that respect, although the few remaining powers to be acquired are very important ones. We might well go on developing under the Territorial system for a long time to come if our revenue would only keep pace with our requirements. But the present financial condition is an impossible one—I mean the condition of being dependent upon the annual vote of Parliament for the larger part of our income. We have already exhausted every means of obtaining any very large increase to that Parliamentary vote. Even were any government so well disposed towards the Territories—and I think all governments are in a way—the conditions surrounding a Parliamentary vote, the conditions which exist at Ottawa, prevent any adequate amount being given to us under our present institutions. I make that statement believing such to be the case. So long as the Territories remain in a dependent condition and receive their financial assistance as a matter of grace rather than of right; so long as the Territories remain in the position of having a large amount of money voted as a grant in addition to a number of other things which the Provinces do for themselves, provided for them every year in the Dominion supply, just for so long will it be impossible for the Territories to secure that suitable financial recognition without which even the present institutions cannot be successfully carried on. We have pretty well passed through the preliminary stages, and we have pretty well come to an end of our usefulness so far as our present condition will permit us. We have to a certain extent fairly well exhausted, in the broader sense of the word, the powers given to us under the legislative jurisdiction which we now possess. I believe the time has come for beginning the superstructure for which we have been laying the foundations. I believe we have laid those foundations well; and that so far as the institutions we have created; so far as the main body of our laws—which deal not only with the primary but even with many of the secondary wants and interests of this country—are concerned, I believe we have a good body of laws and that very largely we have exhausted the more obvious uses and powers of the constitution which we have and of the powers which we possess under it. I do not say that further progress is impossible, but I do say that any very large amount of progress, or any very large amount of development is not possible under the existing institutions. We have—to use the analogy established by the hon. member from Yorkton in speaking of his first town bill—practically grown out of our clothes, and I believe, and I say so with perfect frankness—that I do not consider our present institutions are suitable to the necessities of this country, or are at all in keeping with the work that this Legislature should undertake as soon as possible. The question arises, Why should our jurisdiction be enlarged? We have been accorded very many of the powers of a Province; in fact I believe that the powers which have already been given to the Legislature are quite as important in many parti-

culars as those which the Provinces have and we do not possess. But we cannot go on under the present institutions and do more than lay the foundations—we cannot go on and develop; we have arrived at the time when something more is necessary on the part of this Legislature, and when the largest scope should be given to the people of this country for working out their own salvation. I do not believe we should look to the Dominion Government or to the Dominion Parliament to do the work here which elsewhere is done by the Provinces. As I have said, the conditions which prevail at Ottawa with regard to expenditure would prevent any government from doing what ought to be done in this country in the way of development, and which can never be done satisfactorily to the people of this country until our institutions are so developed and our finances are upon such a basis as to enable us to do that work ourselves. Without suitable financial arrangements, accompanied necessarily by the extension of our legislative jurisdiction and powers, we certainly cannot go on and develop from the point at which we have arrived today. The question is: What shall we do? Shall we simply stand still under the present institutions? My opinion on that question has already been stated. I do not say that we should take the final step at the present moment, but I do ask, Why should we not take it when we have arrived at that point, both financially and constitutionally, when we are unable to make that progress which the country requires? When we have arrived at that point why should we not take the further step? and the further step is to go to the extent of the limits imposed by The British North America Act. As I have already shown the House, except in a very few particulars we stand in the matter of jurisdiction in the position of a Province today, so that even if tomorrow we were forced into a Province, apart altogether from the very important financial question which would have to be settled, I do not fancy any person in the whole of the Territories, when he got up for his breakfast, would feel that a very large revolution had occurred; nor do I believe that in the course of the next year he would ever be conscious to any extent that a very great change had taken place; because after all, the institutions, so far as they touch the everyday life of the people are very nearly the same now as they would be if we were a Province. We are driven by the necessity we find ourselves in to consider the question of the assumption of Provincial institutions, with of course all that they may imply. Then the question is: When are these institutions to be assumed, if they are to be assumed at all? I do not think it would be desirable for me to involve this House in a discussion as to the actual date of an event which we have no power to bring about. We should be wasting our energies in theorising on the exact date of this important movement, because we have not the fixing of the date. It is not within the power of this House to do so, and any expression of opinion by the House on the subject would only have weight in proportion to the unanimity with which it was made. But there is a certain date within which we can be getting ready for the movement to be

taken. Next year the census is going to be taken in the Dominion, and no action of this sort can be taken until the census is taken. The population of this country will be one of the most important foundations for any settlement which can be made. Population is necessarily the basis of the per capita grant—the debt grant; and more than that will be the basis for an argument, no doubt, with regard to the lands as well.

Mr. Bennett: I do not see that it will be impossible to take action now, but possibly not expedient.

Mr. Haultain: Certainly; nothing is impossible. A member of Parliament at Ottawa can bring in a bill tomorrow to make us a Province at once. I merely mean to say that there is a practical impossibility of immediate action when the census is to be taken next year. I think it would be absurd for any Parliament to attempt to lay down conditions upon which any Territories should be erected into a Province until the census is taken, because population is the basis of any calculation of amounts to be granted. More than that, it is rather a significant combination or coincidence that not only is the census going to be taken next year, so that no action is likely to be taken by Parliament until the result of the census is known, but the term of the present Legislature runs out in 1902. That is to say, we shall have completed our term of service in the Legislature, and, if things go along in their ordinary course, we shall have completed our last session before the first Parliament that can possibly deal with this subject in an intelligent way will have completed its labours. That is, according to the ordinary calculation our session will be completed in the early spring of 1902, before Parliament has been sitting for any time, and there will also be a new Parliament elected sometime between now and then. All of these occurrences falling together seem to establish not only a most significant time but a most opportune time for the practical taking up of this question, and I believe the time is not too long. This question is important enough; there are so many difficulties surrounding the financial settlement, there are so many things to be discussed, so many things to be understood, so many opinions to be expressed, so many claims to be enforced as strongly as they can be that the short space of two years, or whatever time it may be, is not too long a time for the discussion of this subject, or for its consideration by members of this House, and by every man in the Territories. Still, even if this House were convinced that it was desirable to establish a Province or Provinces at once, we know perfectly well that, for the reasons already given, no such action can be taken at once, or even next year, reasonably at least; and, more than that, before such Province or Provinces are established it certainly will be in the interests of the Territories, or of any portion of the Territories which may be created into a Province, that the fullest consideration be given to many important subjects and that there should be the fullest opportunity for their discussion.

There is another point, Mr. Speaker, which may be raised in this discussion, and that is: What right have we to act now; what brief or mandate has this House to express even a theoretic-

cal opinion with regard to this subject? It may be said we have no authority from the people of this country to even plunge the country into its discussion. I will say that this subject is not altogether a new one; that a sufficiently clear indication has been given that this would be a subject for discussion in this House, and possibly for settlement in this House. The matter has been sufficiently brought before the people of the Territories, not with the result of obtaining a definite statement from them whether they are willing to have Provincial institutions forced upon them or not—because the consideration of Provincial institutions involves too many points to be submitted to the people for settlement—but the matter was brought before this House at the last session of the last Legislature, and was, I believe, discussed before the people of this country—from one end of the country to the other—during the general elections. I may refer in the first place to a speech which I made in the House during the session of 1898. I take it from the newspaper report of the time, which is fairly accurate. It was made shortly before the general election at which this House was chosen. I said among other things:

If the financial question is capable of other solution I will be satisfied to remain as at present. The only thing there seems to be to do is to think at least of negotiating for Provincial establishment. I feel convinced that it will be the principal work of the new Legislature before the end of its four years' term to enter into such negotiations. With the greater development that now seems assured, the needs in respect of schools and improvements will certainly develop. Outside of direct taxation there seems no possibility of a solution except by Provincial establishment—not perhaps today or next year, but in the reasonably near future.

That was a statement made to the House at the time the estimates were brought down with all the significance that might reasonably be attached to a statement made on such an occasion, and I can further refer to the fact that throughout the general elections of 1898, in speeches made in very many parts of this country, I made very much the same statement. I believe I said that the time, in my opinion, had arrived but that it was a matter for discussion and that it would be—I am not quoting my own words now, but speaking from memory—that it would be the most important work for the new Legislature to undertake. And therefore I say that if we need any mandate or authority for taking this step—which is after all a preliminary step in the matter—it was formally indicated to the people of this country that this subject would be taken up during the life of the present Legislature. After all, we are not assuming on the part of the people of the Territories, if this resolution is accepted, the right to make an agreement. We are asking simply that negotiations should be opened. In fact the most important side of this question at the present time, the most important result that will follow from this resolution being introduced at this stage, and from the discussion which may follow it, will be the further discussion which will take place throughout the country. The country should be brought face to face with this question. The people of the Territories need to have explained to them what are the actual conditions under which we are working and what would be the position under the only further extension we can look forward

to. If nothing else results, the education—in a sense—which will follow public discussion upon these important matters will prove ample justification for its introduction. But more than that, this matter is, I believe, a live question today. It is not merely a matter for academic discussion. The question. Under what institutions are we going to live, under what institutions are we going to carry on the development of this country, is a practical one. It is a live question in the sense that it has been discussed within the last few months in every portion of the Territories. It is a question looming up very largely in the minds of the people of this country who are consequently ready for its consideration. The whole country is considering it, although I have heard it stated that seven people out of ten in the Territories today would vote down a Provincial resolution. But I will only admit that if it be added to that statement that it would be because they do not exactly understand what Provincial institutions mean. I believe the people of the country were somewhat alarmed by a certain speech made on a certain occasion in the interesting town of Yorkton, and got an impression that we were immediately going to plunge into a Province, and certain alarmists declared that the immediate result of forming a Province would be direct taxation and the establishment of municipalities, and a large number of other things which are held up as bugbears whenever the question of a Province is raised. If an erroneous impression exists in the country regarding this subject it is our duty to remove it, not by shrinking from its discussion but by discussing it frankly and openly. Misapprehension has been created by an appeal to the selfishness of the people by dangling these bugbears of "direct taxation" and "municipal institutions" before them; but it can be removed by an intelligent discussion of the whole question, and by pointing out particularly the financial terms which we might reasonably expect to accompany the establishment of a Province. I would like it to be understood very distinctly that when I have ever expressed an opinion in favour of the establishment of Provincial institutions it was always coupled with a very strong proviso that the proper financial terms are attached. I would never consent for one moment, if my consent were necessary, to the establishment of a Province or Provinces in this country even under the terms and conditions which have been granted to the Province of Manitoba, although I believe that even under those most unsatisfactory and most unjust terms we should be better off than we are at the present day. When I say that I believe the time has come for the establishment of Provincial institutions it is always coupled with the statement that with these institutions there must be given the proper means for carrying them on. So I say that there should be no misapprehension with regard to this matter. The people of the country should be told that there is no desire, that there is no tendency to immediately establish Provinces, without the settlement of all these important questions which must precede that action. There is no necessity, even if Provincial institutions were established, for rushing into direct taxation, or into the establishment of municipal institutions, because, with

powers approximating very nearly to those of a Province today, with the power of direct taxation and of establishing municipalities we have possessed for nearly fourteen years, it seems to me that the people of the Territories need not fear these municipal institutions or this taxation any more under the Provincial system than at present. That is a matter for the people themselves. The Legislature hitherto has in the past fairly expressed the opinions and wishes of the people of the country on this matter with the result that those wishes and opinions are clearly defined on our statute book, and so in the same way would those opinions prevail to a similar extent in any Province to be created, which after all would be the same country and have the same people. My principal argument in favour of the immediate taking up of this question with a view to its discussion and settlement is that we must make progress in this country, and without this further step we cannot make progress. Progress is devoutly to be wished, and discussion is its instrument. What is the resolution? It recites that Parliament has certain powers. We must always bear in mind that Parliament has the power to form Provinces and the Government of the day may bring down a bill to Parliament forming these Territories, or any portion of them, into a Province, and if that were done, as the Government presumably controls Parliament, that Province, or those Provinces, would be created. We are not in the position of a self governing colony unfortunately; we are not in the position of Prince Edward Island, or of Newfoundland. We are simply the creatures of the Federal Parliament. The Federal Government can bring down a bill to create political institutions in any part of this country without reference to a single individual in it. But we claim to be given an opportunity to discuss and to negotiate, although we have not the right to dictate terms or even to be treated as one party to an arrangement, and we claim to be dealt with in the same way as our fellow citizens in other parts of the Dominion. The resolution can be fairly said to have left out everything that can be called controversial so far as this House is concerned. There are controversial sides to this question, but in its more important aspects it is not controversial with us. The question, for instance, whether we shall have one, two or more Provinces is a controversial question which it would be perfectly useless for this House to discuss.

Mr. Bennett: Would you not consider it incidentally dealt with in that resolution?

Mr. Haultain: No.

Mr. Bennett: What, not the use of the single word "Province"—"shall be established as a Province?"

Mr. Haultain: "Before any such Province is established?"

Mr. Bennett: Yes, "before any such Province."

Mr. Haultain: Any part of the Territories can be established as a Province. I am perfectly willing to make the present resolution quite clear on that point. There is no intention to convey the impression in the smallest degree of any opinion I may have ever held or expressed with regard to this side of the question.

Mr. Bennett: That is the way it is taken.

Mr. Haultain: But that is not the way it is intended, and if it is so taken it is a mistake. However, if it is so I am perfectly willing to do away with the misapprehension by stating frankly that there was no such intention, and that so far as I can see, the words do not express any such intention. It was one of the most difficult things in drawing this resolution to draw it in such a way as to avoid controversial subjects. That is not the spirit in which this House should approach this subject. We might waste a good deal of valuable time in discussing the question of one, two or three Provinces. Were we to discuss it, and come to a resolution on the subject, we should be no nearer the settlement of the question than we are now. So I have very carefully refrained from introducing anything of a controversial nature, and if the resolution can be read in that way I am perfectly willing to put in as many words as any hon. member may wish to make it clear as to what is meant. The resolution states that the Parliament of Canada has power to establish new Provinces at any time "in any Territories forming for the time being part of the Dominion of Canada" but not included in any Province thereof. We admit that Parliament has the power to do this without consulting the people of the Territories. We know that we are not in the position of a colony seeking admission into the Confederation. We are a part of the Dominion of Canada which Parliament has power to carve out into a Province or Provinces. The resolution goes on to say practically that before any Government initiates any measure having in view the establishment of any Province or Provinces, before Parliament is asked to consider a subject which concerns us so intimately and so tremendously, not only for the present but for all future time, the people of this country should be given an opportunity of expressing their opinions and of pressing their claims. We know that we have not the power to enforce negotiation, and we know perfectly well that in the final result the Government and the Parliament of Canada will be able to do exactly as they please; but we contend that the people of this country, who have been given the institutions under which they live, who have been brought up together under those institutions, and have been taught to consider themselves as a distinct part of the Dominion—when their interests would be so affected by any action of Parliament their moral right to negotiation and discussion should be accorded. The resolution has been drawn up so as to keep out the controversial sides of the question. If we deal with the number of Provinces and the question of the date we are simply theorising and indulging in an academic discussion which can have no practical result. If we present ourselves as a divided House formed into little groups, each one representing a separate Provincial idea, each one advocating a different time when this thing shall be done, the Government of Canada and the Parliament of Canada will be perfectly justified in saying: These people do not know what they want themselves; they are divided in their opinions; they do not help us at all by the expression of their opinions to come to a conclusion upon the subject; we will have to deal with it ourselves.

But there are important sides of this question. There is the financial side of the question, there is the constitutional side of the question in which we are interested, and which will affect not only the one Province but the half dozen Provinces which may be erected, and which will affect them all equally. There is the question of lands. Every Province in the West will be equally interested in what is the basis of settlement of the claims with regard to lands; and so throughout every subject which will form an important matter of enquiry. We are asking that enquiries should be made and that accounts should be taken. And why? Because although, as I said before, the bases of financial assistance to the several Provinces forming the Confederation and to the several Provinces which have been admitted into the Union since Confederation, were well established, they have been changed in very important respects in dealing with some of the Provinces, so that there is enough room for discussion and suggestion. We may also possibly be able to obtain some concessions, some change in the mode of dealing when any portion of the North-West Territories is created into a Province.

I would ask the House to go back a little way. I have shown how this country became a part of the Dominion; what obligations and duties the Parliament of Canada assumed; and I have also shown that the Dominion undertook, when it assumed these duties and obligations, to deal with the people of this country in accordance with the clearly defined principles of The British North America Act. Now I will go back a little to the earlier history of this country and show what was actually stated by the representatives of the people of Canada to the people of this country who were here before it was taken over by the Dominion, because these statements will have an important bearing on our subject as they put not only the people who were here, but those who came after them, in the position of having certain claims founded upon promises made at the time this country was acquired. I refer to a letter written by the Hon. Joseph Howe, the Secretary of State for Canada, on December 4, 1869. It was addressed to the Very Rev. Grand Vicar Thibault, who was then receiving his instructions at Ottawa as one of the Commissioners from the Dominion to the West at that time. The letter states:

You will not fail to direct the attention of the mixed society inhabiting the cultivated borders of the Red River and Assiniboine to the fact, which comes within your daily knowledge and observation and is patent to all the world, that in the four Provinces of the Dominion, men of all origins, creeds and complexions stand upon one broad footing of perfect equality in the eye of the Government and of the law, and no administration could confront the enlightened public sentiment of this country which attempted to act in the North-West upon principles more restricted and less liberal than those which are firmly established here.

You will perceive that at no time was the absurd idea entertained of ignoring the municipal and political rights of the people of the North-West.

All the Provinces of the British Empire which now enjoy representative institutions and responsible government have passed through a probationary period, till the growth of population, and some political training, prepared them for self government.

In the United States the Territories are ruled from Washington till the time arrives when they can prove their fitness to be included in the family of States, and, in the Halls of Congress, challenge the full measure of power and free development which American citizenship includes.

It is fair to assume that some such training as human society requires in all free countries may be useful, if not indispensable, at Red River; but of this you may be assured, that the Governor General and his Council will gladly welcome the period when the Queen can confer, with their entire approbation, the largest measure of self government on her subjects in that region, compatible with the preservation of British interests on this continent, and the integrity of the empire.

One week later Mr. Howe, who had just returned from Red River, wrote to the Hon. William McDougall, who was then at Pembina on his way to assume the government of the Territories as soon as they were acquired. The letter is as follows:

Sir.—I notice in the reports of several persons, made to you and forwarded to this office, references to expressions said to have been used by me in conversations with inhabitants of the Hudson's Bay territory, and I think it proper that you should be authorised to contradict all such statements, so far as the inference can be drawn from them, that anything said by me at Winnipeg, or anywhere else, gave countenance or sanction to breaches of the law and order or to the resistance to the peaceable establishment of the authority of the Dominion in the Territory, under the sanction of Imperial legislation.

During my visit to the Red River I never saw Riel, Bruce, Father Riel, or any persons said to be leaders of the insurrectionary movement, but I conversed freely with all classes and orders of people, from Governor McTavish downwards, and to them all held the same language.—That the same constitution as the other Provinces possessed would ultimately be conferred upon the country; that in the provisional arrangements to be made the feeling and interest of the resident population would be considered—that leading men enjoying their confidence would be at once taken into the government, and that the young men, without distinction of blood, would be drawn into the public service as they were fitted by education to fill places of trust and emolument.

It might also be interesting in this connection to refer to a dispatch of Lord Granville, Secretary of State for the Colonies, to Sir John Young, the Governor General of Canada, dated May 18, 1870, in which Lord Granville expresses his satisfaction in learning "that the Canadian Government and the delegates (from Red River) have come to an understanding as to the terms upon which the settlements on the Red River should be admitted into the Dominion."

With regard to the constitutional side of the resolution I need say very little. The constitution of the Provinces is fixed by The British North America Act, and following out the analogy which exists, and more than that, following out the precedents already established, we may confidently expect that when a Province or Provinces are established they will be accorded at least the same constitutions which have been given to the various Provinces under The British North America Act, and I need not take up any more time in dealing with this branch of the subject. The more important question is: Granted the constitution, what means for carrying on the government will be given to the new Province or Provinces which are established? Naturally, in considering this question, we look to the other Provinces. Relying on the promises which were made, and on the precedents which have been established, the inhabitants of this portion of the Dominion may fairly claim, when the question of the financial assistance to be given to any Province hereafter to be established in this country is considered, that that assistance will not only bear due analogy but will bear due proportion to that given under The British North America Act to the other Provinces of the Dominion, I

can see no difference between this part of the Dominion and any other part of the Dominion. When people come up to this country from the older Provinces they do not give up any portion of their birthright. It seems to be in accord with every rule of justice that the people of this country should have the right to expect, when institutions are established similar to those existing in the older Provinces, that similar financial assistance will be given to them to carry on those institutions. The first item we will consider in this connection is the item for support of government. For this purpose the following amounts are given in the Provinces:

Ontario	\$80,000
Quebec	70,000
Nova Scotia	60,000
New Brunswick	50,000
Prince Edward Island	30,000
British Columbia	35,000

so that it will be seen that the amount is not uniform. There is a limit between \$80,000 and \$30,000 within which the amount may be fixed, so there at once seems to be ample justification for causing enquiries to be made and negotiations held. Not that \$10,000 or \$15,000 more or less in the revenues of a Province such as might be established in this country will make a tremendous difference, but as every dollar counts it will be a matter of negotiation whether we receive the minimum of \$30,000 or the maximum of \$80,000. On account of our peculiar circumstances we will be entitled to the very largest amount for this purpose.

We next come to the per capita grant of eighty cents per head. This allowance was given to the other Provinces, in the language of the Quebec Resolutions, for "local purposes." When the various Provinces went into Confederation they gave up their general taxing power to the Federal Government, that is to say, their customs duties, and for that reason they were given this eighty cents per head for local purposes. The settlement of this item is bound to involve controversy. The initial and maximum population upon which the grant is based and the intervals of readjustment of the grant, vary very essentially in the several Provinces. Ontario and Quebec are paid this grant on the respective populations of 1,396,091 and 1,111,566, being their populations as shown by the census of 1861, and the amount of those grants remains fixed for all time. Nova Scotia, New Brunswick, Prince Edward Island and British Columbia are paid upon the results of each decennial census, until the population reaches 400,000, which has been fixed as the maximum of population upon which the grant will be paid. Manitoba has been dealt with specially in this matter. For some years she was paid on the basis of a population of 150,000, which was in excess of the actual population. The amount of this grant is now readjusted every two and a half years, upon the result of a census taken every fifth year. As in the other Provinces which have been mentioned, Manitoba also has a maximum limit of 400,000, beyond which this grant will not increase. I was never able to exactly understand the principle upon which there should be any such limit imposed. Why, for instance, when this portion of the country, which is increasing and will increase very rapidly, attains a population of 400,000

should, it cease to receive anything more than eighty cents per head on a population of 400,000, while the Provinces of Ontario and Quebec are being paid on a population of 1,396,091 and 1,111,566 respectively?

The next question is that of the debt allowance. On this question I will refer to Mr. (afterwards Sir) A. T. Galt's speeches in the Confederation Debates. Mr. Galt was Minister of Finance at the time. He was one of the most eminent financiers we ever had in Canada, and was one of the Fathers of Confederation. Possibly, however, before reading a few passages from Mr. Galt's speech I might state the principle upon which this allowance is made. A certain amount of the indebtedness of the Provinces forming the Confederation was assumed by the Dominion. Taking population into consideration it was found that the amount of the burden so assumed was not equally proportioned, and fixed amounts were agreed upon as being the amounts of debt which would be fair and equitable as between the Provinces, provision being made by which interest is paid upon any difference between the amount of debt actually assumed and the amount so fixed and agreed upon. Now a little enquiry might fairly be made as to what was the nature of these debts which the Government of Canada assumed, and which, in ever increasing proportion, as our population goes on, we are helping to pay off today. Mr. Galt said:

It is necessary for us to review the liabilities of each Province, the reasons why they were incurred, the objects which have been sought. In doing so the House will not fail to remark that the same policy has animated the Legislatures of all the Provinces, or perhaps I should speak more exactly in saying those of Canada (Quebec and Ontario today) New Brunswick and Nova Scotia. The public debt of all these Provinces has, with some slight exceptions, been incurred for public improvements, intended to develop the resources of the country, to attract immigration and wealth to their respective shores, to cheapen the means whereby the products of their farms were to be taken to market, and to reduce the cost of freight of articles which enter largely into the consumption of their inhabitants.

That is one point. Then referring to the railway and canal system in Upper and Lower Canada, the debt for which was assumed by the Confederation, he touched on the allowance made to the Maritime Provinces. He said:

It will be observed that as regards these Provinces their income and expenditure are such that they will enter the Confederation with a financial position in no respect inferior to that of Canada (Quebec and Ontario).

That is, by the fact that they have received this debt allowance among other things. He also showed that

By this means provision was in fact made for the maintenance of their local governments while at the same time a cause of future complaint was removed.

There are other things which were given to Nova Scotia and New Brunswick, but I need not mention them at the present time. I would again refer to the Quebec Resolutions regarding this subject, sections 61, 62, 63—I will not read them—and also to the provisions of The British North America Act, sections 111 to 116, and the subsequent provisions made by Parliament when this matter was being readjusted, by which an additional amount of \$31,930,148 has been assumed by the Dominion on account of Provincial indebtedness. I also refer to the case of Manitoba. When Manitoba was

created into a Province she was dealt with on the basis of the debt of 1870. That is to say, being taken into Confederation at that time Manitoba was given a certain allowance on account of the debt of Canada incurred up to 1870, and which of course she would receive no benefit from and which she would have to pay her proportion of interest upon. Now, I suppose, as we were taken into the Union at the same time as Manitoba, it may be claimed, in case any portion of this country is created into a Province, that as we were admitted into the Union in 1870, we also are only entitled to be dealt with on the basis of the debt at that date. But that is a proposition to which very few people in the Territories, I trust, will give their assent, and here again we find a very important subject for negotiation and enquiry. As the debt allowance is paid on population all that I have said before with regard to the census and terms of readjustment will equally apply to this item.

In speaking of this question of debt allowance we must not forget that there is another side to the account. When we make a claim for an allowance on account of the Provincial debts assumed by the Dominion we shall be met with a counterclaim in respect to the debt incurred by the Dominion on account of the Territories. There seems to be a variety of opinion with regard to the nature and amount of this debt, and that also will be a very important subject for discussion and negotiation. To give an idea of some of the things which have been charged up, or which the Federal authorities seem disposed to charge as a debt against the West I would refer to a statement made by the late Hon. John Norquay in a report made to the Legislature of Manitoba in 1885. The statement was made incidentally to the question of compensation for lands. He says:

As an offset to the claims for compensation for lands already disposed of the Minister of the Interior submitted a memorandum embracing a variety of subjects from the cost of the expeditionary force down to the latest return of the surveys, as well as of moneys granted in annuities to the Indians. The cost of the acquisition of the territory from the Hudson's Bay Company, and other matters which, if he insisted on as he evidently desired to do, would have far exceeded any claim. Though not admitting value of same, and denying other of the claims, your committee came to the conclusion from the information submitted, which could not be obtained before, that a pressure of the Province's claims in this respect would be a doubtful advantage if any at all.

Because, apparently, the Minister of the Interior of the day seemed inclined to run up a large debt account against Manitoba. Mr. Norquay came to the conclusion that accounts of that nature would bring the Province out in debt to the Dominion rather than show it to have any right to an allowance on account of the debt of the older Provinces. The Territories are charged up in the Dominion public accounts with a debt of \$3,800,126.48. That includes quite a number of items. I have a statement of them here, which has been officially received in connection with some correspondence which we have had with the Department of the Interior at Ottawa. I will not give all the items because they are too numerous, but I will give sufficient to give the House some idea of what is charged up against the Territories today. They charge \$19,000 and more—I will only give round figures—for the construction of the Fort Garry road and for the construction of the Fort William road

in 1869. This is one of the items which the North-West Territories are charged with as capital expenditure for the benefit of the people of this country. We are charged with the expenses of civil government—travelling expenses, arms and ammunition, furniture, supplies, printing and stationery, etc., at Fort Garry in 1870, \$32,000; we are charged \$98,000 more for the construction of the Fort William road, and \$25,000 more for the construction of the Fort Garry road in 1870; for lands and canal surveys, \$15,000; for boats and mail service, \$27,000; for the expeditionary force, \$163,000—that is the first Red River expedition—and \$1,460,000 for the purchase of that very comprehensive area "the North-West Territories." The people of the Territories, with an ever diminishing area, are now charged with all these accounts. So I think this item alone will convince this House that when this question of debt comes to be adjusted there will be considerable room for difference of opinion if the Federal authorities hold the same views as they do now. In 1871 we are also charged with \$101,000 for travelling expenses, outfit, services, supplies for Red River police, Lieutenant Governor's expenses, relief services, reorganisation of government, "expenditure re settlement of difficulties in connection with Red River settlement," etc.; \$84,000 more for the Fort William road and \$23,000 more for the Fort Garry road; \$45,000 more for boats for mail service and \$510,000 more for the expeditionary force. In 1872 we are charged for travelling expenses, special services, telegraph wire, telegrams, furniture, establishment of penitentiary, board of health, protection of frontier, Dominion lands salaries and expenses, etc., \$41,000; transport expenses, \$214,000; another \$10,000 for the construction of the Fort William road; and another \$100,000 for construction of the Fort Garry road; compensation for losses arising out of the Red River rebellion, etc., \$82,000; surveys in Manitoba, \$117,000; expeditionary force, \$83,000. For 1873 we are charged with expenses connected with the organisation of government, including, among other things, wages paid in connection with the Red River route, \$91,000. We are charged in 1887 with all the rebellion expenses, all relief of distress, all the rebellion losses commission, and for seed grain, in all some \$294,000. In 1888 we are charged \$40,000 for militia in active service, seed grain and rebellion losses, a total of \$549,000. In 1889, \$57,000 chiefly for rebellion losses and militia, and so on. These are some of the items with which we are charged at present, and the House will gather from that, that there will be considerable scope for discussion on the part of the representatives of the Territories when they come to deal with the question of debt. It is a wonder they have not charged against us the cost of the wars of 1812 and 1813, or of the rebellion of 1837, or of the Fenian raid in the later sixties, all of which might be equally appropriately charged up to the North-West Territories.

Mr. Bennett: You have nothing to show the cost of administering Dominion lands?

Mr. Haultain: Yes. There are figures shown, but I think you will find that the receipts and expenditure pretty well balance each other. The Commissioner of Public Works will

probably have these figures and will be able to give them. All I will say is that in a general way the land receipts are more than the expenditure; I do not know how much, but considerably more.

I now come to the question of railway expenditure, which is a very important one in this discussion. In the Dominion Year Book of 1898 the expenditure on railways in the Dominion was put at \$180,623,557. There is the further statement that of this amount subsidies to lines each wholly within one Province amounted to \$48,038,848. Now I suppose it would be perfectly reasonable for the representatives of the Territories to say that we should be allowed something in respect of all that debt. The Dominion has subsidised these roads which are purely local in their nature, which are not national undertakings except that they are "declared to be for the benefit of Canada" in the Acts. To the interest on that debt the people of the North-West Territories contribute, man for man, as much as the people in any other portion of the country, and will contribute every year a very much greater amount in the aggregate as our population increases. An entirely different policy has been followed with regard to the aid given to railways in the Territories. Instead of subsidising railways in the Territories at the expense of Canada, and the whole of Canada sharing in the burden of the payment and the people of the Territories paying their fair proportion, the Dominion of Canada has granted 39,729,130 acres of land in the Territories as land grants to railways, some of them only partially built in the Province of Manitoba, and not in the Territories at all, some of them in both. I may make the further statement that no subsidies have been paid to railways in the Territories excepting one amounting to something over \$3,000,000, paid to the Crow's Nest Railway which is very largely constructed in the Province of British Columbia. A little over one hundred miles of it has been constructed in the North-West Territories. Look for a moment at the difference of terms: In the Provinces the Dominion shoulders the whole burden of this expenditure to the tune of over \$48,000,000, and we are helping to pay it, while at the same time they have retained all their lands and minerals and other things which form part of the Provincial property. In the Territories no money practically has been spent for the subsidising of railways; no debt is consequently incurred, no burden consequently lies on the rest of the people of the Dominion. At the same time (this incidentally opens up the land question) we are told that the land does not belong to us, that it was bought for the benefit of the Dominion and should be administered as such. The position is perfectly plain and the manifest injustice and unfairness of the treatment need hardly be dilated upon. If we are to pay our proportion, an ever increasing proportion, of the interest upon this enormous debt for railways built for the benefit of other Provinces, why should we not in the first place have an allowance made in respect of that debt, and in the second place an allowance made for the lands taken away? This touches the land question, but I will not go into that at the present moment. I think, how-

ever, that so far as that question is concerned a sufficient reason has been shown for accounts being taken and enquiries made and negotiations held respecting that very important subject. More than that, it is such a large, difficult and complicated subject that before the census can be taken, before the new Parliament can be elected, and before new Provinces can be established every minute will be necessary to be able to arrive at anything like a satisfactory conclusion with regard to this important side of the discussion.

I now come to the question of property. Under The British North America Act, section 109, all lands, mines, minerals and royalties are taken to form part of the property of the Provinces originally forming the Confederation. I will refer just incidentally to one remark of the Hon. (afterwards Sir) John A. Macdonald in the Confederation Debates, page 40:

It will be seen that the Local Legislature have the control of all local works; and it is a matter of great importance, and one of the chief advantages of the Federal Union and of local Legislatures, that each Province will have the power and means of developing its own resources and aiding its own progress after its own fashion and in its own way.

Mr. Galt, in the course of the same debate, made several remarks regarding this subject. Among others, he made this very important and significant remark:

It will be observed that in the plan proposed there are certain sources of local revenue reserved to the local Governments arising from Territorial domain, lands, mines, etc. In the case of Canada a large sum will be received from these resources, but it may be that some of them, such as the Municipal Loan Fund, will become exhausted in course of time. We may, however, place just confidence in the development of our resources, and repose in the belief that we shall find in our Territorial domain, our valuable mines and our fertile lands, additional sources of revenues far beyond the requirements of the public service.

That is, speaking on behalf of the Provinces.

If, nevertheless, the local revenues become inadequate it will be necessary for the local Governments to have resort to direct taxation; and I do not hesitate to say that one of the wisest provisions in the proposed constitution, and that which affords the surest guarantee that the people will take a healthy interest in their own affairs and see that no extravagance is committed by those placed in power over them, is to be found in the fact that those who are called upon to administer public affairs will feel, when they resort to direct taxation, that a solemn responsibility rests upon them, and that that responsibility will be exacted by the people in the most peremptory manner.

Even at that time, even when the Provinces had been granted these enormous and valuable assets in the shape of public domain, mines and minerals, the Hon. Alexander Galt intimates that on their being exhausted there would have to be a resort to direct taxation. I do not altogether believe it probable that we should be, but we certainly should be very much nearer to it; and if we are to be confronted with it in that way I think the argument is well established that we have the right to the same treatment in this respect as the older Provinces. Another distinguished Canadian, also one of the Fathers of Confederation, the Hon. George Brown, referred to this matter in the course of his speech. He said:

Each Province is to have charge of its own Crown lands, Crown timber and Crown minerals, and will be free to take such steps for developing them as each deems best.

Further on the Hon. Mr. Holton, interrupting Mr. Brown, said:

Unfortunately for your argument, the lands will be in the hands of the local Governments.

Mr. Brown replied:

So much the better. My hon. friend can manage his public lands in Lower Canada as he likes, and we will manage ours.

Those are the views of the leading men at that time with regard to the importance of these lands and the right to them. This is the most important item, on the financial side, of the Confederation compact, and it is perfectly safe to say that Confederation would never have been accomplished, and there never would have been a Dominion of Canada if there had been any question of the giving up of the public domain by the Provinces to the Federal authorities, certainly not without a very ample consideration to be paid for them.

The principle of the right of a Province to its public domain is admitted. When we say we will have to make a claim in respect of lands we are not intimating that the claim is absolutely denied. The claim has been admitted all over. Every one of the original Confederating Provinces has its lands. British Columbia has its lands; Prince Edward Island did not have any land, so an annual grant of \$45,000 is given instead; Manitoba has been granted an allowance in "lieu of lands." Just to emphasise these remarks let me refer to British Columbia and its title to the land. One of the terms and conditions upon which that colony entered the Union was the immediate construction by the Dominion of a railway connecting British Columbia with Eastern Canada. The eleventh clause of the address of both Houses of the Parliament of Canada and of the Legislative Council of British Columbia, as quoted in the Imperial Order in Council of May 16, 1871, respecting the Province of British Columbia, reads:

The Government of the Dominion undertake to secure the commencement simultaneously, within two years after the date of the Union, of the construction of a railway from the Pacific towards the Rocky Mountains, and from such point as may be selected east of the Rocky Mountains towards the Pacific, to connect the seaboard of British Columbia with the railway system of Canada, and further to secure the completion of such railway within ten years from the date of the Union.

And the government of British Columbia agree to convey to the Dominion Government, in trust, to be appropriated in such manner as the Dominion Government may deem advisable in furtherance of the construction of the said railway, a similar extent of public lands along the line of railway, throughout its entire length in British Columbia (not to exceed, however, twenty miles on each side of said line), as may be appropriated for the same purpose by the Dominion Government from the public lands in the North-West Territories and the Province of Manitoba: Provided that the quantity of land which may be held under pre-emption right or by Crown grant within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government, shall be made good to the Dominion from contiguous lands, and provided further, that until the commencement within two years as aforesaid from the date of the Union, of the construction of the said railway, the Government of British Columbia shall not sell or alienate any further portion of the public lands of British Columbia in any other way than under right of pre-emption, requiring actual residence of the pre-emptor on the land claimed by him. In consideration of the land to be so conveyed in aid of the construction of the said railway, the Dominion Government agree to pay to British Columbia, from the date of the Union, the sum of \$100,000 per annum, in half yearly payments in advance.

For that reason, and on that account, the Dominion of Canada is now paying British Columbia \$100,000 a year, a part of which we are helping to pay.

Mr. Bennett: And the minerals still belong to British Columbia.

Mr. Haultain: As my hon. friend says, the minerals still belong to British Columbia. So for the rocky belt of land running alongside the Canadian Pacific Railway British Columbia is receiving the handsome allowance of \$100,000 per year, which we are helping to pay. What has been done in our case? The Canadian Pacific Railway land grant is made on the assumption that the Territories are the property of Canada, and Canada has a right to deal with the public domain of the Territories for Dominion purposes. Then what are the conditions which have been offered to the colony of Newfoundland? Among other things it has been offered an amount of \$150,000 a year for which it is to give up its public domain. The area of that colony is less than that of the Province of Manitoba, only being about 42,000 square miles, or less than one seventh of the area represented in this House. There is a proposition made to Newfoundland. Why should there be any distinction made between us and them? They certainly are an independent colony, but as a matter of fact they possess no greater rights to the lands of the colony than do we to the lands of the Territories.

I would like to refer to the map again. It is claimed that the Dominion has "purchased" these Territories, and that they are to be administered for the benefit of the whole of the Dominion. I have already shown that a portion of the area admitted in 1870 included a portion of Ontario and an enormous strip of land in the Province of Quebec. No later than in 1828 the southern portion of the District of Ungava—a portion of the land which it is claimed was "purchased," and in respect of which \$1,460,000 was paid—was by an Act of the Dominion Parliament added to the Province of Quebec. If the lands in the west were "purchased" by the Federal Government for the benefit of the Dominion, so equally was that portion which has been added to the Province of Quebec, and if the former are to be administered for the benefit of the Dominion of Canada the latter should not be made an exception. If it is made an exception then the position is that the rich Province of Quebec with all its lands and other natural resources in its possession under the original compact, has this additional amount of land given to it as a free gift, while other lands similarly acquired are denied to us here on the ground that they must be administered for the benefit of the whole Dominion.

Now what does the Dominion claim? They make several claims. They claim, to begin with, that they "purchased" this country. Then they say, that, citing the American precedent with regard to Territories, they propose to withhold the public domain from any new Province, as in the case of Manitoba, and to administer it for Federal purposes. In addition they point to the expenditure incurred in the West as an offset to any claim for lands. They are not only withholding the lands from us because of the alleged "purchase," but they are also asking us to pay our share of the interest on the purchase price because the amount of the Rupert's Land loan of £300,000 sterling is still outstanding and charged against the Territories.

It being half past five o'clock the Speaker left the chair until eight o'clock, when

Mr. Haultain, continuing, said: Mr. Speaker, shortly before you left the chair this afternoon I referred to the importance that was attached to Provincial ownership of the public domain in the Confederation discussion, and what a very important item in the Provincial financial terms it was considered, and what a very essential part of the Provincial revenues these lands and minerals are and will be to any Province or Provinces which may be established in this country. I showed how The British North America Act recognised the right of the Provinces to their lands, and how subsequently, in the negotiations which took place for the admission of other colonies, this principle was recognised; in the case of Prince Edward Island a grant being given because they had not any public lands; in the case of Manitoba, a grant being given because the public lands were withheld. In the case of British Columbia their right was recognised, of course, because the lands belonged to the colony, but an important concession was made to them in the shape of an annual subsidy of \$100,000, which we are helping to pay, for a narrow strip of rocks on either side of the Canadian Pacific Railway. Then again, how this principle was recognised further, and is recognised today in the standing offer to the colony of Newfoundland of \$150,000 per year if they turn over the public domain to the Federal Government upon entering the Union. I had begun to discuss at the time you left the chair what the Dominion claims to our lands are. Before I go any further I should like to explain that I stopped short at each point of what might be called the practical side of it. That it is say, I have only developed the argument up to the point that a reasonable claim can be made; and that these are open questions which must be settled when the establishment of a Province in any part of these Territories is being discussed. The financial necessity for a change, a comparison of our present financial condition and that which might exist under a different constitution, the pecuniary side of the claim for lands, I am going to leave, and properly so, to my colleague the Territorial Treasurer who, in his official capacity, has to deal with subjects of revenue and of expenditure.

Now the American precedent has been quoted by the Dominion Government on more than one occasion as a reason why a different course on the land question should be followed in the case of Manitoba and presumably of the Territories, to that which was laid down by The British North America Act 1867: the American precedent of holding the lands of the Great West for general purposes and not giving them up to new States as they are formed, or to the various Territories as they were first organised. Without going into history too minutely, I might say that discussion upon this important subject arose almost at the very dawn of the history of the United States. This was carried on during the revolutionary period, and for many years formed one of the most important subjects of discussion in Congress. I will refer anyone who wishes to pursue this subject further to a very interesting history of the land question

in the United States, which is contained in volume four of the "Johns Hopkins University Studies in Historical and Political Science." In the United States some of the "land states" which had been formed practically prior to the revolutionary period, and which traced their title to the lands through the royal grants, in many instances, had a very large amount of public lands; while as the United States developed, and as new States were formed, the question of holding the land for the benefit of the central Government became a very live one. I will refer only to one or two statements in this volume at the present time for the purpose of giving some idea of what the question was. A committee of Congress, of which Henry Clay, the celebrated American statesman was chairman, had referred to them the whole question of the lands, and in a portion of their report they made the following statement:

It is difficult to conceive a question of greater magnitude than that of relinquishing this immense amount of national property.

That is, giving up the lands of the various States. The argument was, of course, all in favour of the system which has been adopted, but an argument which so far as we are concerned, does not apply—a precedent which I do not see any reason for being quoted, and a policy which I do not see any reason for being followed, seeing that it is in direct opposition to the policy of The British North America Act, and is in direct opposition to the foundation principles of Confederation. I would now like to refer to the Imperial practice with regard to colonial public lands, for after all, if there is any precedent to be followed, I prefer to go to the old country rather than to the other side of the line. We have never yet been obliged to go there for constitutional precedents, and to do so in this important matter, when the whole of our constitution is based, in the words of the Quebec Resolutions, "on the well understood principles of the English constitution," is an unnecessary departure from established principles and practice. The old Imperial theory was stated in eloquent terms by Lord Durham, whose report is still one of the most important public documents in Canadian history. Lord Durham in his report says:

The country which has founded and maintained these colonies at a vast expenditure of blood and treasure may justly expect its compensation in turning their unappropriated resources to the account of its own redundant population; they are the rightful patrimony of the English people, the ample appanage, which God and nature have set aside in the New World, for those whose lot has assigned them an insufficient portion in the old. Under wise and free institutions these great advantages may yet be secured to your Majesty's subjects, and a connection, secured by the link of kindred origin and mutual benefits, may continue to bind to the British Empire the ample territories of its North American Provinces, and the large and flourishing population by which they will assuredly be filled.

Later on Lord Grey asserted the same principle that the lands were not for the benefit of the colonists but should belong to the Empire. In a dispatch to Captain Fitz Roy, R.N., when governor of one of the Australasian colonies, Lord Grey says:

The waste lands of the vast colonial possessions of the British Empire are held by the Crown, as trustee for the inhabitants of that Empire at large, and not for the inhabitants of the particular Province, divided by arbitrary geographical limits, in which any such waste

land happens to be situated. Otherwise the consequence would follow that the first inhabitants of these vast Provinces (if possessing these representative institutions which arise as of right in ordinary British Colonies) are indefeasibly entitled to administer all the lands and land revenue of the great unexplored tract called a Province, of which they may occupy an extremely small portion without regard to the nation which has founded the settlement, perhaps at great expense, in order to serve as a home for her own emigrants and a market for her own industry.

That was the Downing Street policy of the time; and was the policy then accepted by all classes of British statesmen; but, as Mr. H. E. Egerton, in his invaluable "Short History of British Colonial Policy," points out in discussing this subject:

It was, however, when it became necessary to translate these admirable theories into practice that the real difficulties began. In the case of Canada these difficulties proved insurmountable.

Later on, referring to the land question, Mr. Egerton says:

We have already seen that all English statesmen started with the firm intention to control the Crown lands in the hands of the mother country, but the practical difficulties in the way proved insurmountable.

And I might say that this principle has ever since been carried out and adopted with regard to Canada, with regard to the Australian colonies and New Zealand. In 1890, when a self governing constitution was given to the colony of Western Australia, it was distinctly laid down in the Imperial Act that "the entire management and control of the waste lands shall be vested in the Legislature of the Province." I have shown that the Imperial precedent and theory for a number of years was that the lands should be administered for the benefit of the Empire and should not belong to the colonies, but when they came to put this theory into practice they were obliged to relinquish it and yield to the just claims of the colonists in every part of the Empire the right to use their own resources. Now in what position do we stand towards the people of Canada and towards the Dominion of Canada? Do we not to a large extent stand in exactly the same relation towards the Dominion as the Dominion formerly stood towards the mother country? We are practically a colony, within a colony, and we stand exactly in the same relation. We are dependent upon the Dominion for our constitution and for the financial assistance which is necessary and will be necessary, for the carrying on of our self governing institutions, so that an exact analogy exists. We stand precisely in the same relation, and I claim that we should be dealt with in a similar way. For after all, what policy has put the Dominion Government or the Dominion Parliament in the position of being able to grant or to withhold the control of the lands? The very policy I have mentioned, which was pursued by the colonial office in the case of the older Canadian colonies, which was adopted by the framers of our Federal constitution and which we must ask to be continued in our case. All we say to the Dominion is this: If you are in the position of being able to grant or withhold the control of our lands on account of the adoption of such a policy by the Imperial authorities, then treat us in exactly the same way as they treated you. I would only say, in concluding this branch of the subject, that it seems quite unnecessary to be looking to the United States for precedents or reviv-

ing at Ottawa the exploded doctrines of Downing Street.

What was the intention of the Imperial authorities when this country was united to the Dominion of Canada? What is the foundation principle of The British North America Act? What idea runs through the negotiations which took place when the country was being acquired by the Dominion? I have already gone over that ground and have shown that throughout the negotiations and the Acts the principle is firmly and fully embodied that the lands and the mines and the minerals belong to the Provinces whether they came in of their own accord or were afterwards to be established. With regard to the relation between the Territories and the Federal authorities I would quote a recent article by Professor Judson, on The Constitution and Territories of the United States:

Does such a legal relation between the Federal Government and the Federal Territories imply tyranny? By no means. The old conception of the colonial system implied government of colonies primarily for the benefit of the mother country. It was against such a system that the American colonies of Great Britain and of Spain revolted and established their independence. The new conception of colonies implies their government primarily for their own benefit. It is this conception which today unites Canada and Great Britain by bonds more delicate than silk and yet stronger than steel.

It is simply the application of this particular principle of justice that we ask for when the time comes for us to take our place in the scheme of Confederation as a Province.

But after all, what is the title of the Dominion to these lands? There is nothing in the public documents, there is nothing in the Acts, there is nothing in the Orders in Council, there is nothing in the Deed of Surrender—in fact there is nothing in any document I have been able to discover which has given it anything more than a right of administration. As the House will recollect, The British North America Act 1867 and the Order in Council give simply a right to make laws for the "peace, order and good government," and other words of similar effect. There is a difference between proprietary rights and legislative jurisdiction which has been very definitely established. The right of property is one thing, the right to administer property is another thing. And I would refer to a celebrated case which was decided not very long ago by the Judicial Committee of the Privy Council in England, a case in which the question of the control of the fisheries arose as between the Dominion authorities and the Provinces. Lord Herschell, in giving judgment on behalf of the committee said:

Before approaching the particular question submitted, their lordships think it well to advert to certain general considerations which must be steadily kept in view and which appear to have been lost sight of in some of the arguments presented to their lordships.

It is unnecessary to determine to what extent the rivers and lakes of Canada are vested in the Crown or what public rights exist in respect of them. Whether a lake or river be vested in the Crown as represented by the Dominion or as represented by the Province in which it is situated, it is equally Crown property, and the rights of the public in respect of it, except in so far as they may be modified by legislation, are precisely the same. The answer, therefore, to such questions as those adverted to would not assist in determining whether in any particular case the property is vested in the Dominion or in the Province. It must also be borne in mind that there is a broad distinction between proprietary rights and legislative jurisdiction. The fact that such jurisdiction in respect of a particular sub-

ject matter is conferred on the Dominion Legislature for example affords no evidence that any proprietary rights in respect to it were transferred to the Dominion. There is no presumption that because legislative jurisdiction was vested in the Dominion Parliament proprietary rights were transferred to it. The Dominion of Canada was called into existence by The British North America Act 1867. Whatever proprietary rights were at the time of the passing of that Act possessed by the Provinces remain vested in them except such as are by any of its express enactments transferred to the Dominion of Canada.

That is to say, the property is distinctly vested in the Crown, which may be represented either by the Dominion or the Provinces. "It must also be borne in mind that there is a broad distinction between proprietary rights and "legislative jurisdiction." The fact that jurisdiction is conferred upon the Dominion Legislature affords no evidence that any proprietary rights are transferred to the Dominion. Whatever rights existed in the Provinces at the time of the passing of the Act of 1867 were not transferred to the Dominion of Canada, except where they may have been transferred to the Dominion by express enactment. Now the lands of this country stand in very much the same position. No proprietary rights have ever been transferred to the Dominion. Right of administration, right of establishing laws for the peace, order and good government of this country have been given, and these are the only rights possessed by the Dominion Government, and it is only by virtue of the Acts conferring those rights that any right to take the land of this country and administer it for the benefit of Canada can be claimed. There is another case, the case of the St. Catharines Milling Company, which carries out the same idea. Under the 91st section of The British North America Act the Dominion Parliament has power to make laws for "Indians and lands reserved for the Indians." These are the words of the Act. These are more definite than any power which they have to make laws with regard to the lands of this country. In the Province of Ontario the Indian title to certain lands was extinguished by the Federal authorities, and then a conflict arose between the Federal authorities and the Province as to the ownership of the lands. It was held that the Indian title was only a burden on the land, to use the language of the report, as Indians had not the right to the fee simple, and that the land had been surrendered to the Crown. The Indian title being extinguished in 1873 the title to the land was claimed by the Dominion authorities. I will refer to the cases on The British North America Act for the purpose of pointing out what the Judicial Committee of the Privy Council considered was the policy of The British North America Act with regard to this question:

Their lordships, are, however, unable to assent to the argument for the Dominion founded on section 91.

That was, that the Dominion had the right to the lands because they were given the right to make laws regarding "Indians and lands reserved for "Indians." The decision continues:

There can be no a priori probability that the British Legislature, in a branch of the statute which professes to deal only with the distribution of legislative power, intended to deprive the Provinces of rights which are expressly given them in that branch of it which relates to the distribution of revenue and assets. The fact that the power of legislating for Indians, and for lands which are reserved for their use, has been entrusted to the Parliament of the Domi-

nion is not in the least degree inconsistent with the right of the Provinces to a beneficial interest in these lands, available to them as a source of revenue whenever the estate of the Crown is disencumbered of the Indian title.

It will be unnecessary and almost out of place for me to attempt to make a legal argument on this point at the present time. I refer to these cases as illustrating what the opinion of the highest judicial body in the Empire is respecting the difference between the proprietary right to and legislative jurisdiction over lands within a Province, and the policy in that regard of The British North America Act. With respect to The British North America Act and its construction I will also quote a short passage from the argument addressed to the Judicial Committee in the case I have just cited, by Mr. Mowat, then Attorney General for Ontario, and Mr. Edward Blake, who acted as counsel for the Province:

With regard to the application of The British North America Act and the construction to be placed upon it, it was submitted that that Act should be on all occasions interpreted in a large, liberal and comprehensive spirit, considering the magnitude of the subject with which it purports to deal in a very few words. The general scheme, purpose and intent of the Act should be borne in mind. The scheme is to create a Federal Union consisting of several entities. The purpose was at the same time to preserve the Provinces, not as fractions of a unit but as units of a multiple. The Provinces are to be on an equal footing. The ownership and development of Crown lands and the revenues therefrom are to be left to the Provinces in which they are situated. As to legislative powers, it is the residuum which is left to the Dominion; as to proprietary rights, the residuum goes to the Provinces. Where property is intended to go to the Dominion it is specifically granted, even though legislative authority over it may already have been vested in the Dominion. It is contrary to the spirit of the Act to hold that the grant of legislative power over lands reserved for the Indians carries with it by implication a grant of proprietary right.

Of course we stand in a somewhat different position, but there is a distinct analogy. The right of administration has been given to the Dominion and nothing more. They have only been given power to make provision for the administration, peace, order and good government of this country, and there is not a single clause in any of the Acts giving the Dominion the proprietary right in the lands, and there is not a single word conferring anything but a right of administration on the Dominion Parliament. The proprietary right still remains in the Crown, and on the analogy of dealing with the other Provinces, following out the policy of The British North America Act, I think we could establish a very fair claim to be heard with regard to our right to a beneficial interest in the lands of the Territories—that is, the rights of any Province which may hereafter be established in the Territories.

Now the claim to the land being admitted, opens up at once some very large questions. It opens up all the previous dealings with the lands and practically puts the Dominion in the position of trustee for the Province or Provinces which may be established hereafter in the West. I do not propose to go into that branch of the subject, and all I will say with regard to it is that even by the very general way in which I have dealt with it I think I have established that there is ample ground for asking that "accounts be taken, enquiries made, and "negotiations held." The practical side of it, What would any part of this country be entitled to? is not a subject

for me to discuss at the present moment. For, after all, we are not now confronted with that, but simply with the fact that a very important right exists, a right, the establishment of which means everything so far as the future of this country is concerned. I would not like to excite too great hopes on the part of any member of this House, or the people of this country, with regard to this question; a long time has elapsed, many things have been done, many vested interests have been created, and such large financial difficulties stand in the way, all of which will have to be taken into account. But at the same time I believe we should be entitled to a large amount of consideration, and if our claim is recognised, any Province which might be established in this country would be certainly in as good a position as any of the other Provinces which originally formed the Confederation.

There is another question which it will be necessary to discuss and negotiate with regard to, and that is the question of railway exemptions. A large number of exemptions have been given in this country, practically at the expense of this country, and some of them have been given in perpetuity, which means that a perpetual tax will be levied upon the people of this country. The exemptions which have been given to the Canadian Pacific Railway Company will be found set out in the Canadian Pacific Railway Act, being chapter 1 of the Statutes of 1881, an Act which is well worth the study of every member of this House, and indeed of every man in the Territories. Here are the exemptions:

The Canadian Pacific Railway, and all stations, and station grounds, work shops, buildings, yards and other property, rolling stock and appurtenances required and used for the construction and working thereof, and the capital stock of the company, shall be forever free from taxation by the Dominion, or by any Province hereafter to be established, or by any municipal corporation therein.

That means that the company is exempted now in the Territories, as we are simply delegates of the Dominion, and will be exempt forever in any Province hereafter to be established in the Territories to the extent mentioned in the section quoted. I have shown that by the Quebec Resolutions at least, the object of establishing communication with the Great West was not particularly to open up the lands of the Great West, not particularly for the benefit of the Great West, but that it was for the benefit of the original Confederating Provinces. I will just refer to that section again, because I think it is worth dwelling upon. It is section 69 of the Quebec Resolutions and reads as follows:

The communications with the North-Western Territory, and the improvements required for the development of the trade of the Great West with the seaboard, are regarded by this conference as subjects of the highest importance to the Federated Provinces, and shall be prosecuted at the earliest possible period that the state of the finances will permit.

That is the language of the Quebec Resolutions. Now, in order to establish communication with the country, which was a matter of the "highest importance" to the Federated Provinces, an agreement to build the Canadian Pacific Railway was entered into and various inducements were offered to the constructing company. An enormous land grant was given at

the sole expense of the West, which is in addition bearing its proportionate share of the financial assistance given to the railway company. In addition to that we have levied upon us forever a tax in the shape of the exemptions I have just referred to. And there is another part of the exemption clause which at the present time affects the people of the Territories more nearly than that already quoted. The exemption of the railway, stations, rolling stock, etc., can only affect the comparatively limited portion of the country through which the railway actually runs. But the further exemption which reads:

and the lands of the company, in the North-West Territories, until they are either sold or occupied, shall also be free from such taxation for 20 years after the grant thereof from the Crown,

affects nearly every part of the country. Every school and local improvement district, as well as every municipality, has already felt this burden, which, according to the interpretation placed upon the words "grant thereof" "from the Crown" by some authorities, coupled with the inexplicable delay in finally settling the land subsidy, bids fair also to become perpetual. We not only have a claim to consideration on account of these exemptions but also on account of the land subsidy given to the Canadian Pacific Railway Company. Although this point is covered by the general argument on "debt" and "lands," it is of sufficient importance to merit some special attention. The aid given to the Company consisted of a subsidy in land and a subsidy in money. The subsidy in money is borne by Canada as a whole, and we have to bear our just share of the burden thus created. But the land subsidy is exclusively granted out of the lands of the West. This railway was not built for the benefit of the West; it was for the benefit of the Federated Provinces and to keep faith with the Province of British Columbia. If the whole of this prairie region had been desert waste the railway would still have had to be built. I simply point out the unfairness of the treatment. None of the Provinces directly contributed one cent or one acre towards the construction of this railway. They only help indirectly, in the same way as we do, towards paying the interest on the debt incurred in connection with the money subsidy. We, on the contrary, have had eighteen million acres of our own lands taken to assist this national undertaking and are also called upon to help to pay for seven million acres of our own land, which was first given to the company and afterwards bought back from it, as well as to bear the burden of the extraordinary exemptions I have already referred to. This does not seem to me to be a fair mode of dealing with us, and when the terms and conditions upon which any Province or Provinces are to be erected in these Territories are being considered these will be some of the grounds for a very considerable claim for financial assistance.

We shall also have to consider the question of the school lands. That question has been up in Manitoba for a great many years, and it is a subject which will be a matter for discussion

and for negotiation in our case. Manitoba has not yet been able to obtain control of her school lands, and there is no reason to suppose that the attitude of Parliament will differ in the case of any Province or Provinces hereafter established in the Territories. The per capita grant, the debt allowance, the question of the lands, the question of the railway exemptions and the question of the school lands are all subjects for enquiry, for the taking of accounts, for negotiation, for discussion. I think I have said quite enough to convince the House that no agreement will be arrived at or can be arrived at in a day. Upon matters of this sort upon which such a tremendous variety of opinion exists, and must exist as between the representatives of the West and the Federal Government, I say no agreement can be arrived at in a day, or a year, or without a large amount of negotiation.

I hope, sir, I have established a sufficient ground for asking this House to say that enquiries should "be made" and accounts taken with a view to "the settlement of the terms and conditions upon which the Territories or any part thereof shall be established as a Province," and that a proposition should be submitted to the people of the Territories, through their representatives, before any final action is taken. We will not at this time, I will not at least, anticipate these negotiations. We are not in a position to do that. I have simply attempted to indicate in a general way what the subjects for negotiation are. All we have to do at the present time is to convince the people of the Territories that these subjects are important enough to negotiate about and that the time has come, considering the magnitude of the questions involved, for beginning these negotiations. But there must be a certain amount of concession and compromise. We shall never be able to arrive at a reasonable settlement if we sit down and say we demand this or that or the other thing without reference to actual conditions and the history of the whole subject. A reasonable time for consideration will be required by both the negotiating parties. The number and the magnitude of the questions involved justify an enquiry, and ample time must be given, and there is not too much time in the period I have mentioned—that is practically the term of the existence of this Legislature. All the Provinces, that is, any Province which may be established in this country, will be equally affected by the matters I have mentioned. No matter whether any hon. gentleman wishes one Province to be established, or wishes ten Provinces to be established, these things must be settled, and the one Province, or each of the ten Provinces will be equally interested in a satisfactory solution of the problems I have suggested. I need hardly dwell again on the necessity for unanimity. If we are not unanimous we are not going to accomplish much. Our individual opinion will not be of much use unless backed up by a strong public opinion. The duty of every member of this House is to develop that public opinion by discussion and to bring these matters before the people of the country in order to show them that there are large interests at stake, and that they have many claims and rights

which it may be they have hitherto not realised, and which can only be established by the fullest enquiry and negotiation. Exaggerated claims may be made, and possibly have been made, but the matters which I have referred to are not matters of fancy or speculation. We have an enormous country with tremendous interests and an almost boundless future. We should not be staggered by the realisation of the splendid heritage we are entitled to but should rather be uplifted and urged on to try to establish these rights and have these claims satisfactorily adjusted.

I will now conclude by a reference to a fact which possibly is not well known to all the members of this House. That very table, sir, is the original Confederation table. The Fathers of Confederation, I believe, in the year 1865, some thirty five years ago, sat around that table and framed the constitution under which the Dominion of Canada was established, framed the constitution under which we are working and under which all the older Provinces were united into one great Confederation. What the work of that Confederation was is much more eloquently stated by one of the Fathers of Confederation (the late Honourable George Brown) than any words of mine can do, and I will quote him to show what the scheme was which those men at that day evolved and worked out around that very table in front of you. Mr. Brown said:

The bold scheme in your hands is nothing less than to gather all these countries into one—to organise them all under one government, with the protection of the British flag, and in heartiest sympathy and affection with our fellow subjects in the land that gave us birth. Our scheme is to establish a government that will seek to turn the tide of European emigration into this northern half of the American continent—that will strive to develop its great natural resources—and that will endeavor to maintain liberty, and justice, and Christianity throughout the land.

A member interrupted and asked the question: "When?" to which the Hon. Geo. E. Cartier replied: "Very soon." Mr. Brown then proceeded:

The whole great ends of this Confederation may not be realised in the lifetime of many who now hear me. We imagine not that such a structure can be built in a month or in a year. What we propose now is to lay the foundations of the structure—to set in motion the governmental machinery that will one day, we trust, extend from the Atlantic to the Pacific.

That is one of the objects to which the Confederation Conference practically pledged itself at that time and on that occasion. Thirty five years later we are practically setting in motion, if I may use the term, or beginning the movement which has for its object the fulfilment of the scheme of Confederation by completing the chain of Provinces from ocean to ocean. I would ask the House during this discussion to emulate the patriotism and broadmindedness of the men and the deliberations of that time. I would ask hon. members of this House to banish from their minds all local and selfish and partisan ideas on this occasion, and, in the language of one of the Fathers of Confederation, "to sit down and discuss the arguments presented in the earnest and candid spirit of men bound by the same interests, seeking a common end and loving the same country."